

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TANYA SINGH DIXIT,

Plaintiff,

v.

Case No. 20-cv-12070
Honorable Linda V. Parker

AKASH DIXIT.

Defendant.

OPINION AND ORDER DENYING MOTION TO AMEND
UNDER FRCP 59(e) (ECF NO. 11)

On August 3, 2020, the Court issued an Opinion and Order remanding this case to the Fulton County Superior Court in Atlanta, Georgia. (ECF No. 7.) Presently before the Court is Defendant Akash Dixit's Motion to Amend Under FRCP 59(e). (ECF No. 11.)

Motions made pursuant to Federal Rule of Civil Procedure 59(e) are treated the same as motions made pursuant to Local Rule 7.1 because "both are vehicles for a litigant to ask a court to correct a mistake of law or fact." *Quatrine v. Berghuis*, 751 F. App'x 885, 888 (6th Cir. 2018), *cert. denied*, 140 S. Ct. 302 (2019). Local Rule 7.1 provides the following standard of review for motions for reconsideration:

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or

reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties and other persons entitled to be heard on the motion have been misled but also show that correcting the defect will result in a different disposition of the case.

E.D. Mich. LR 7.1(h)(3). Palpable defects are those which are “obvious, clear, unmistakable, manifest or plain.” *Mich. Dep’t of Treasury v. Michalec*, 181 F. Supp. 2d 731, 734 (E.D. Mich. 2002).

After reviewing Defendant’s motion, the Court finds that it does not demonstrate palpable defects in the August 3 Opinion and Order. Accordingly, Defendant’s Motion to Amend Under FRCP 59(e) is **DENIED**.

IT IS SO ORDERED.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: September 8, 2020

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, September 8, 2020, by electronic and/or U.S. First Class mail.

s/ R. Loury
Case Manager